



FACT SHEET: SB 1055 – Driver’s License Suspensions

IN BRIEF

Senate Bill 1055 seeks to address extreme punitive measures taken against those that have fallen into child support arrears. Specifically, this bill targets driver’s license suspension mandates related to missed child support payments. The current practice of notifying the California Department of Motor Vehicles after only 30 days of an overdue payment, is especially limiting to those facing financial hardships. Creating a framework for the driver’s license suspension mandate protects those that may be struggling financially, while still encouraging the safety net that child support gives to children.

BACKGROUND & PROBLEM

California currently has some of the highest punitive measures in place for child support arrears. In addition to driver’s license suspension, the state also imposes a [10%](#) interest rate on missed payments and [passport denial](#) for balances that reach \$2,500. While these overtly punitive measures have the ability to harshly impact lives, they have shown no evidence of increasing child support payments. However, for a person already struggling to maintain basic necessities under financial struggle, the threat of losing a license and their means to travel can be detrimental. This barrier then has the potential to impact several other facets of a person’s life, while their child support debt simply continues to accrue.

According to a [report](#) published by the Aspen Institute, child support payments made by low-income parents are more consistent when arrears have been reduced. Placing further enforcement efforts onto those struggling does not encourage consistency or continuity for the non-custodial parent. This report also highlighted the cycle of unemployment, incarceration, and debt that eventually befalls parents subjected to aggressive enforcement. In an effort to encourage payment and

support of those in need, it is imperative to reconsider extreme disciplinary measures.

SOLUTION

SB 1055 will address the issue of aggressive child support arrears mandates with a twofold approach. The state laws outlining this issue can be found in Family Code section [17520](#). Specifically, this bill will add a requirement that disallows the Department of Child Support Services (DCSS) from notifying the Department of Motor Vehicles (DMV) of a possible driver’s license suspension due to child support arrears, if that individual makes at or below 60% of their county [median](#) income. This amount will be determined by the most up to date information from the Department of Housing and Community Development (HUD). Also, this bill will extend the current Department of Child Support Service’s practice of DMV notifications after 30 days of overdue child support payments to no more than 6 months. Both of these substantive changes will allow for a more support driven approach to child support enforcement, while centering those that suffer the most from the overly punitive mandates.

Senate Bill 1055 is a modest effort in addressing economic justice among those suffering from crushing child support debt.

FOR MORE INFORMATION

Bryn Sullivan

Bryn.Sullivan@sen.ca.gov or (916) 651-4030

SUPPORT

- California Families Rise (Sponsor)
- Root and Rebound Reentry Advocates (Sponsor)
- Western Center on Law & Poverty (Sponsor)